



IFW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q75749

Byoung-hwa JUNG, et al.

Appln. No.: 10/617,798

Group Art Unit: 2624

Confirmation No.: 4087

Examiner: SHERALI, ISHRATI.

Filed: July 14, 2003

For: APPARATUS AND METHOD FOR DETECTING FREQUENCY CHARACTERISTIC
OF SIGNAL

RESPONSE TO ELECTION OF SPECIES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This responds to the Election of Species Requirement, dated April 17, 2007. The Examiner has identified the application as containing claims directed to more than one distinct species. The Examiner has required the Applicant to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted. The Examiner believes there are no generic claims. Applicant has been advised that a response to this requirement shall include an identification of the species that is elected and a listing of all claims readable thereon.

In response to the Examiner's requirement, Applicant elects Species 1, Fig. 5 for examination on which claims 1-12, 21-32 and 41-52 are readable, with traverse.

MPEP § 803 provides that if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits. In the Office Action,

RESPONSE TO ELECTION OF SPECIES
U.S. APP. NO. 10/617,798

the examiner indicates that Species I, II and III are independent or distinct. Species I, II and III are so inextricably interrelated that claims directed to these species cannot be comprehensively examined without also searching those areas in which the other species is classified.

Moreover, while acquiescence in a restriction requirement and the attendant filing of a Divisional application surely represents the “path of least resistance”, the cumulative government filing, issue and maintenance fees alone involved in pursuing such course of action currently totals more than \$8000, which seems a high price indeed to spare the examiner from whatever additional search may be necessary.

Furthermore, Fig. 5 is a block diagram of an apparatus for detecting the frequency characteristic of the input signal. Fig. 6 is a block diagram of an apparatus for reducing noise in an input signal based on the frequency characteristic of the input signal. Fig. 7 is a block diagram of an apparatus for enhancing the details of an input signal based on the frequency characteristic of the input signal. Referring to Figs. 5-7, the frequency characteristic detector 62 of Fig. 6 and the frequency characteristic detector 72 of Fig. 7 are identical to the apparatus for detecting the frequency characteristic of the input signal of Fig. 5. That is to say, the apparatus of Fig. 6 and the apparatus of Fig. 7 use the apparatus of Fig. 5.

In view of the foregoing, Applicant requests that the requirement be withdrawn upon reconsideration.

Applicant submits that if any of the elected claims is found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

RESPONSE TO ELECTION OF SPECIES
U.S. APP. NO. 10/617,798



Applicant reserves the right to file a Divisional Application directed to the non-elected claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter A. McKenna", written over a horizontal line.

Peter A. McKenna
Registration No. 38,551

SUGHRUE MION, PLLC
Telephone: (202) 293-7060

Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: May 17, 2007